

Notice of Allowability

Application No.

10/656,733

Examiner

Greg F. Cunningham

Applicant(s)

INOKUCHI ET AL.

Art Unit

2628

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment received 8/25/2006.
2. ☒ The allowed claim(s) is/are 1-3,8,9,14,15,18 and 20.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date 8-25-06
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

1. This action is responsive to amendment filed 8/25/2006.
2. The disposition of the claims is as follows: claims 1-3, 8, 9, 14, 15, 18 and 20 are pending in the application. Claims 1, 8, 14, 18 and 20 are independent claims. Claims 4-7, 10-13, 16-17 and 19 have been withdrawn.

Claim Rejections - 35 USC § 112

3. In view of the amended claims, 112 rejections are withdrawn.

Claim Rejections - 35 USC § 102

4. In view of amended and cancelled claims and review of cited references and remarks, 102 rejections are withdrawn.

Examiner's Amendment

5. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

Withdrawn claims 4-7, 10-13, 16-17 and 19 are cancelled.

Allowable Subject Matter

6. Claims 1-3, 8-9, 14-15, 18 and 20 are allowed.

7. The following is an examiner's statement of reasons for allowance:

Applicant's amended independent claims 1, 8, 14, 18 and 20 stands novel over the related prior art. For instance, while the related art of Rhoads (U.S. Patent Pub 2003/0110185 A1), does make use of displays a map of a region, with push pins shown by icons or other graphic indicia; the icons may have different colors or shapes, revealing some of their attributes. One shape may denote an image object, another an audio object, another a text document, another a weather report, etc. Likewise, an icon presented in green may represent fresh data (e.g., within the past day or week), whereas an icon presented in brown may represent dated information (e.g., dating from a month or more ago). A spectrum of colors can be employed to indicate gradations in attributes.

However, lacks the disclosure of independent claims 1, 8, 14, 18 and 20 of a forming section which forms at least a certain number of sets of objects wherein the objects contained in each set are positioned in proximity with each other and wherein the objects contained in each set are selected according to a certain number of designated classes of attribute information included in the objects within a predetermined distance

Therefore as claimed by the combined elements of amended independent claims 1, 8, 14, 18 and 20, the cited references and prior art of record lack separately and in combination the elements of amended claims.

Claims 2-3, 9 and 15 depend from allowable independent claims 1, 8 and 14, respectively, and therefore are also allowed.

Art Unit: 2628

8. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Responses

9. Responses to this action should be mailed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231. If applicant desires to fax a response, (703) 872-9306 may be used for formal communications.

Inquiries

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory F. Cunningham whose telephone number is (571) 272-7784.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kee Tung can be reached on (571) 272-7794. The fax phone number for the organization where this application or proceeding is assigned is **571-273-8300**.

Art Unit: 2628

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Greg Cunningham

Examiner

Art Unit 2628

9/18/2006

KEE M. TUNG
SUPERVISORY PATENT EXAMINER